

REMARKS

The Examiner is thanked for the courteous interview extended to the Applicants' attorney.

During the interview, the issue was raised as to why the Examiner did not act on or comment on newly added claim 13 in his final rejection. It was explained to the Examiner that newly added claim 13 was written to contain the allowable subject matter of claim 5 as well as the subject matter of claim 4, upon which claim 5 depends and furthermore, claim 13 does not contain the aspect of the present invention as recited in claim 1, wherein the metal insert is wholly covered by a plastic or rubber housing or coating. During the interview the Examiner indicated that, in all probability, claim 13 would be allowable, but the Examiner specifically reserved the right to review claim 13 in the light of the above comments. In this regard, the Examiner should note that due to a printing error, certain portions of claim 13 were inadvertently excluded from claim 13 and thus the present Amendment merely adds the portion of claim 13 which was inadvertently excluded. The underlined portion of claim 13 as provided in the present Amendment represents that portion of claim 13 which was inadvertently omitted. When reviewing claim 13, it is readily apparent that claim 13 represents the subject matter of original claim 1 (without reference to the metal insert 12) and the subject matter of claims 4 and 5. As stated hereinabove, since claim 13 contains the allowable subject matter of claim 5 as well as the subject matter of claim 4, from which claim 5 depends it is believed that claim 13 is clearly allowable. In this connection, since claim 13 was not acted upon by the Examiner, it is believed that the final rejection was premature in nature and accordingly the Examiner is respectfully requested to withdraw the finality of the previous Office Action letter.

Claims 1-4 and 8-12 have been rejected by the Examiner as being unpatentable over Koyanagi et al., U.S. Patent 5,584,107 (hereinafter Koyanagi) in view of Nishino et al., U.S. Patent 4,757,579 (hereinafter Nishino). This rejection is respectfully traversed.

The present invention is directed to a coupling device for restraining belts particularly for children's safety seats used in motor vehicles.

Typically, restraining belts for children's safety seats for motor vehicles contain latching or tongues adapted to be inserted and locked in the buckle body. However, such tongues suffer from the drawback that the metal part thereof to be engaged in the buckle body is exposed to the elements when the belt is not being used. Therefore, the tongues tend to become very hot in the motor vehicle, especially during the hot days of summer when all parts of the buckle assembly are frequently exposed to sun rays. In such a situation, the temperature of the tongue of the buckle assembly becomes dangerously high and thus can readily produce burning injuries when contacted by any living being, particularly children. Also, there may also be concerns with respect to persons having allergies to metals such as, for example, chrome, which are used in metal parts of the tongue. Accordingly, the present invention provides a coupling device for restraining belts, particularly for children's safety seats for motor vehicles wherein each tongue element includes a metal insert 12 which is wholly covered by a plastic or rubber housing or coating. Thus, unlike the problems of the prior art, the tongue element 10 does not have any exposed metal part which could become overheated by the sun and thus produce a burning injury to a child or cause allergic reactions by anyone who might handle the coupling device.

Koyanagi relied upon by the Examiner describes tongue elements that contain a metal insert that is only partially covered by a coating. The Examiner does recognize that the tongue element, including the metal insert, is not wholly covered or coated. Thus, in Col. 5, lines 11-13, the patentees state that the tongue plates 31 have handles 32 formed by coating a base "portion" of the tongue plates 31. However, in spite of this disclosure, the Examiner argues that it would have been obvious to one of ordinary skill in the art to have covered the entire tongue elements as required by the present invention. However, since Koyanagi does not recognize the Applicants' problem, that is, to protect a child from burning itself, it is understandable why Koyanagi does not contemplate the Applicants' inventive contribution, i.e., of wholly covering the metal insert of each tongue element with a plastic or rubber housing or coating.

The Examiner, apparently recognizing that the deficiencies of Koyanagi adversely impact the rejection under 35 USC 103 has further relied upon Nishino in an attempt to suggest the present invention. However, it is believed that Nishino contains the same deficiencies as Koyanagi and thus the modification of Koyanagi with the teachings of Nishino cannot possibly suggest the present invention. Thus, Nishino, although making a reference to the use of a resinous material to cover the buckle body does not appear to cover the tongues that engage the buckle. Thus, in Col. 4, lines 17-29 of Nishino it would appear that while the buckle body cover is covered and the tongue plates exposed outside of the buckle in the engaged state are also covered with a protective resinous material, by clear implication, the parts of the child-restraining device which are in an engaged state are not covered with a protective coating. Thus, it is the Applicants' position that Nishino suffers from the same deficiencies as Koyanagi as not providing a coupling device which includes a metal insert which is wholly covered by a plastic or rubber housing or coating. Since both the primary and secondary references do not recognize the Applicants' problem, it is clear that neither of these references recognize the Applicants' solution to said problem.

It is noted, with appreciation, that the Examiner has indicated that claims 5-7, although objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Accordingly, in view of the above amendments reconsideration of the rejection and allowance of all of the claims of the present application are respectfully requested. In the event that the proposed Amendment does not place the present application into condition for allowance, entry thereof is respectfully requested as placing the present application into better condition for appeal.

Application No. 10/562,854
Amendment dated June 14, 2007
After Final Office Action of March 14, 2007

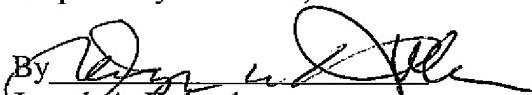
Docket No.: 2723-0147PUS1

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joseph A. Kolasch Reg. No. 22,463 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 
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